

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM
QUESTIONNAIRE

Ohio Agreement State Program
Reporting Period: November 1, 2008 to December 1, 2013

Note: If there has been no change in the response to a specific question since the last IMPEP questionnaire, the State or Region may copy the previous answer, if appropriate.

A. GENERAL

1. Please prepare a summary of the status of the State's or Region's actions taken in response to each of the open recommendations from previous IMPEP reviews.

One recommendation was made during the 2008 IMPEP, "The review team recommends that the State document and implement a training and qualification program that, at a minimum, contains a statement of policy, minimum qualifications for staff training, and supervisory verification for ensuring this policy is implemented."

Status: The Bureau developed a staff training and qualification program following the 2008 on-site review. The program has been implemented for all staff members.

B. COMMON PERFORMANCE INDICATORS

I. Technical Staffing and Training

2. Please provide the following organization charts, including names and positions:

- (a) A chart showing positions from the Governor down to the Radiation Control Program Director;

See attached

- (b) A chart showing positions of the radiation control program, including management; and

See attached

- (c) Equivalent charts for sealed source and device evaluation, low-level radioactive waste and uranium recovery programs, if applicable.

See attached

¹ Estimated burden per response to comply with this voluntary collection request: 53 hours. Forward comments regarding burden estimate to the Records Management Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0183), Office of Management and Budget, Washington, DC 20503. If an information collection does not display a currently valid OMB control number, NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

3. Please provide a staffing plan, or complete a listing using the suggested format below, of the professional (technical) full-time equivalents (FTE) applied to the radioactive materials program by individual. Include the name, position, and, for Agreement States, the fraction of time spent in the following areas: administration, materials licensing & compliance, emergency response, low-level radioactive waste, uranium recovery, other. If these regulatory responsibilities are divided between offices, the table should be consolidated to include all personnel contributing to the radioactive materials program.

If consultants were used to carry out the program's radioactive materials responsibilities, include their efforts. The table heading should be:

Name Position Area of Effort FTE%

<u>Name</u>	<u>Position</u>	<u>Area of Effort</u>	<u>FTE%</u>
Michael Snee	Bureau Chief	Administration	30
Mark Light	Program Admin.	Nuclear Materials Safety	100
Stephen James	Supervisor	Industrial Licensing & Inspection	100
Celeste Lipp	Senior HP	Industrial	100
Sangita Desai	Senior HP	Industrial	100
Patrick Becker	Senior HP	Industrial	100
Sean Kubera	HP	Industrial	100
Courtney Shipley	HP	Industrial	100
Karl Von Ahn	Supervisor	Medical Licensing & Inspection	100
Amy Cosner	Senior HP	Medical	100
Doug Cosner	Senior HP	Medical	100
Charlene Graham	Senior HP	Medical	100
Rochelle Batdorf	HP	Medical	100
Vacant	HP	Medical	100
Charles McCracken	Supervisor	Decommissioning, LLRW	80
Dwain Baer	Senior HP	Decommissioning, Gen. Lic.	100

Jim Colleli	Senior HP	Decommissioning, LLRW	50
Kim Anderson	Senior HP	Decommissioning	100
Stephen Helmer	Program Admin.	Technical Support	50
David Lipp	Supervisor	Technical Support	20
Shannon Dettmer	Senior HP	Technical Support, SS&D	100
Tim Walker	Senior HP	Technical Support	50
Eric Denison	Senior HP	Technical Support	50
Robert Leidy	Senior HP	Technical Support	5

4. Please provide a listing of all new professional personnel hired into your radioactive materials program since the last review, indicate the date of hire; the degree(s) they received, if applicable; additional training; and years of experience in health physics or other disciplines, as appropriate.

<u>New Personnel Since Last Review</u>		
<u>Name</u>	<u>Position</u>	
		<p>Hire date: 1/4/10</p> <p>Degree: BA International Econ/Mngt- Hiram College; Associates in Radiography (X-ray)- Kent State University; Bachelor's Nuclear Medicine-Kent State University</p> <p>Training: Licensing Practices and Procedures (G-109); Increased Controls (S-201); Environmental Monitoring (H-111); Characterization And Planning For Decommissioning (H-115); DOT-Radioactive Material Course; DOE-Radiological Training for Hospital Personnel; ORISE-Radiation Accident Victims Various Ohio nuclear power plant training classes</p>
Kim Anderson	Senior Health Physicist	Experience: 8 years
Richard Anderson	Health Physicist	Left ODH
Larry Baas	Health Physicist	Left ODH

Jill Boley	Senior Health Physicist	<p>Hire date: 1/30/12</p> <p>Degree: Bachelor of Science (Majors: Physics, Astronomy)</p> <p>Training: Inspection Procedures (G-108); Safety Aspects of Radiography (H-305); Combined XRF and Rad 101 Training; RMD's LPA-1 Lead Paint Inspection System; DOT Specialized HazMat: Radioactive Materials; Radioactive Materials Transportation; Financial Assurance Requirements; Fundamentals of Radiation Safety; Identifying Radioactive Sources at the Demolition Site; Increased Controls; MARSSIM; Radiation Detection and Measurement; Radiation Safety and Use of Nuclear Gauges; Various Ohio nuclear power plant training classes</p> <p>Experience: 5 years with BRP; 4 years Health Preparedness and Emergency Communications</p>
Charlene Graham	Senior Health Physicist	<p>Hire date: 3/1/09</p> <p>Degree: None</p> <p>Training: Inspection Procedures (G-108); Licensing Practices and Procedures (G-109); Increased Controls (S-201); Sealed Source & Device Workshop; Diagnostic and Therapeutic Nuclear Medicine (H-304); Brachytherapy (H-313); Root Cause Incident Investigation (G-205); Various Ohio nuclear power plant training classes</p> <p>Experience: 5 years as RSO for Cardinal Health</p>
Stacey Kadrich	Health Physicist	Left ODH
Sean Kubera	Health Physicist	<p>Hire date: 7/16/12</p> <p>Degree: None</p> <p>Training: Inspection Procedures (G-108); Increased Controls (S-201); Safety Aspects of Radiography (H-305); Root Cause Incident Investigation (G-205); Transportation of Radioactive Materials (H-308); Various Ohio</p>

		<p>nuclear power plant training classes; Various DOE Health Physics training classes</p> <p>Experience: 1 year with BRP Industrial Section; 2 years with BRP Medical Section; 15 years Health Physics Technician (DOE Contractor) experience</p>
Courtney Shipley	Health Physicist	<p>Hire date: 7/5/11</p> <p>Degree: Bachelor Degree, Radiologic and Imaging Science, Kent State University</p> <p>Training: Inspection Procedures (G-108); Licensing Practices and Procedures (G-109); Increased Controls (S-201); Safety Aspects of Well Logging (H-314); Sealed Source & Device Workshop; Transportation of Radioactive Materials (H-308); Various Ohio nuclear power plant training classes</p> <p>Experience: 2 years with BRP Industrial Section; ARRT-NM certification; NMTCB certification; 18 months clinical Nuclear Medicine experience (student rotations)</p>
Rochelle Batdorf (Smith)	Health Physicist	<p>Hire date: 11/5/12</p> <p>Degree: BS in Nuclear Medicine Technology</p> <p>Training: Inspection Procedures (G-108); Licensing Practices and Procedures (G-109); Brachytherapy (H-313); RESRAD (H-210); Various Ohio nuclear power plant training classes</p> <p>Experience: Certified Nuclear Medicine Technologist, 8 years nuclear medicine experience</p>

5. Please list all professional staff who have not yet met the qualification requirements for a radioactive materials license reviewer or inspector. For each, list the courses or equivalent training/experience they need and a tentative schedule for completion of these requirements.

Rochelle Batdorf (new hire) – needs additional inspection experience in teletherapy/stereotactic radiosurgery, nuclear pharmacy – needs inspection experience and formal class for increased controls/security (was approved for November 2013 class).

Courtney Shipley

Has attended formal IC/Security training class, but needs additional inspection and licensing experiences for full qualification.

Has attended Well-logging training class, but needs additional inspection and licensing experiences for full qualification.

Is currently working with Senior HP on qualifications for academic licensing and inspection.

Sean Kubera

Has attended Well-logging training class, but needs additional inspection and licensing experiences for full qualification.

Patrick Becker

Is currently working with other Senior HPs and Supervisor on qualifications for Manufacturing and Distribution licensing and inspection.

6. Identify any changes to your qualification and training procedure that occurred during the review period.

The Bureau has updated "Nuclear Material Safety Qualification Procedure, NMS-AS-010" as of 12/15/2008.

7. Please identify the technical staff that left your radioactive materials program during the review period and indicate the date they left.

<u>Personnel Who Left Since Last Review</u>		
<u>Name</u>	<u>Position</u>	<u>Date Left ODH</u>
Richard Anderson	Health Physicist	March 16, 2012
Larry Baas	Health Physicist	March 4, 2011
Kenneth Barnhart	Senior Health Physicist	June 17, 2011
Michael Bear	Senior Health Physicist	March 26, 2010
Stacey Kadrich	Health Physicist	June 21, 2012
Robert Owen	Chief	December 31, 2010
Lorraine Stephens	Senior Health Physicist	September 1, 2009

8. List any vacant positions in your radioactive materials program, the length of time each position has been vacant, and a brief summary of efforts to fill the vacancy.

Health Physicist, Medical – vacant since March 24, 2013.

Efforts to fill the position - Interviews were conducted the week of May 27, 2013. A select memo to fill the position has been processed.

9. For Agreement States, does your program have an oversight board or committee which provides direction to the program and is composed of licensees and/or members of the public? If so, please describe the procedures used to avoid any potential conflict of interest.

The Radiation Advisory Council, RAC, consists of members who meet the criteria outlined in Section 3748.20 of the Ohio Revised Code. The members of the RAC are appointed by the Governor. The duties of the RAC include advising and consulting with the department on the development of rules and the administration, implementation, and enforcement of these rules. The RAC also provides advice and council on the development of inspection criteria, procedures, and guidelines to be used in the radiation control program.

II. Status of Materials Inspection Program

10. Please identify individual licensees or categories of licensees the State is inspecting less frequently than called for in NRC's Inspection Manual Chapter (IMC) 2800 and explain the reason for the difference. The list only needs to include the following information: license category or licensee name and license number, your inspection interval, and rationale for the difference.

All individual licensees and categories of licensees are inspected at least as frequently as called for in NRC's IMC 2800.

11. Please provide the number of routine inspections of Priority 1, 2, and 3 licensees, as defined in IMC 2800 and the number of initial inspections that were completed during each year of the review period.

Industrial and Decommissioning				
	Priority 1	Priority 2	Priority 3	Initial
2008 (4 th qtr)	6	4	4	0
2009	17	8	8	8
2010	11	1	2	3
2011	8	7	3	8
2012	13	3	3	6
2013 (To date)	11	5	5	10

Medical				
	Priority 1	Priority 2	Priority 3	Initial
2008 (4 th qtr)	0	10	10	3
2009	0	40	62	11
2010	0	40	47	4
2011	0	23	33	4
2012	0	34	54	4
2013 (To date)	0	19	17	2

12. Please submit a table, or a computer printout, that identifies inspections of Priority 1, 2, and 3 licensees and initial inspections that were conducted overdue.

At a minimum, the list should include the following information for each inspection that was conducted overdue during the review period:

- (1) Licensee Name
- (2) License Number
- (3) Priority (IMC 2800)
- (4) Last inspection date or license issuance date, if initial inspection
- (5) Date Due
- (6) Date Performed
- (7) Amount of Time Overdue
- (8) Date inspection findings issued

No Priority 1, 2, and 3 licensees or initial inspections were conducted overdue.

13. Please submit a table or computer printout that identifies any Priority 1, 2, and 3 licensees and initial inspections that are currently overdue, per IMC 2800. At a minimum, the list should include the same information for each overdue inspection provided for Question 12 plus your action plan for completing the inspection. Also include your plan for completing the overdue inspections.

There are no Priority 1, 2, and 3 licensees or initial inspections overdue.

14. Please provide the number of reciprocity licensees that were candidates for inspection per year as described in IMC 1220 and indicate the number of reciprocity inspections of candidate licensees that were completed each year during the review period.

2008	2009	2010
70 Total Reciprocity Authorized	68 Total Reciprocity Authorized	66 Total 2010 Reciprocity Authorized
<u>33 Priority 1 / 2 / 3 Authorized</u>	<u>38 Priority 1 / 2 / 3 Authorized</u>	<u>34 Priority 1 / 2 / 3 Authorized</u>
33 Priority 1 / 2 / 3 in Ohio in 2008	36 Priority 1 / 2 / 3 in Ohio in 2009	34 Priority 1 / 2 / 3 in Ohio in 2010
18 Priority 1 / 2 / 3 Candidates	26 Priority 1 / 2 / 3 Candidates	23 Priority 1 / 2 / 3 Candidates
6 Priority 1 / 2 / 3 Inspected	11 Priority 1 / 2 / 3 Inspected	9 Priority 1 / 2 / 3 Inspected
6 / 18 = 33.3% Inspected in 2008	11 / 26 = 42.3% Inspected in 2009	9 / 23 = 39.1 % inspected in 2010
Pri 1 = 0/3 = 0.0 %	Pri 1 = 7/11 = 63.6 %	Pri 1 = 1 / 6 = 16.7 %
Pri 2 = 3/7 = 42.9 %	Pri 2 = 0/6 = 0 %	Pri 2 = 3 / 4 = 75.0 %
Pri 3 = 3/8 = 37.5 %	Pri 3 = 4/9 = 44.4 %	Pri 3 = 3 / 13 = 23.1 %
"Not a Candidate" Criteria	"Not a Candidate" Criteria	"Not a Candidate" Criteria
Priority 1 = Last Inspected 2007 +	Priority 1 = Last Inspected 2008 +	Priority 1 = Last Inspected 2009 +
Priority 2 = 2006 +	Priority 2 = 2007 +	Priority 2 = 2008 +
Priority 3 = 2005 +	Priority 3 = 2006 +	Priority 3 = 2007 +

2011	2012	2013
69 Total 2011 Reciprocity Authorized	86 Total 2012 Reciprocity Authorized	91 Total 2013 Reciprocity Authorized
<u>37 Priority 1 / 2 / 3 Authorized</u>	<u>34 Priority 1 / 2 / 3 Authorized</u>	<u>35 Priority 1 / 2 / 3 Authorized</u>
37 Priority 1 / 2 / 3 in Ohio in 2011	34 Priority 1 / 2 / 3 in Ohio in 2012	35 Priority 1 / 2 / 3 in Ohio in 2013
23 Priority 1 / 2 / 3 Candidates	23 Priority 1 / 2 / 3 Candidates	27 Priority 1 / 2 / 3 Candidates
8 Priority 1 / 2 / 3 Inspected	8 Priority 1 / 2 / 3 Inspected	8 Priority 1 / 2 / 3 Inspected
8 / 23 = 34.8 % inspected in 2011	8 / 27 = 29.6 % inspected in 2012	8 / 27 = 29.6 % inspected in 2013
Pri 1 = 3 / 11 = 27.3 %	Pri 1 = 5 / 12 = 41.7 %	Pri 1 = 7 / 13 = 53.9 %
Pri 2 = 0 / 2 = 0.0 %	Pri 2 = 2 / 6 = 33.3 %	Pri 2 = 1 / 7 = 14.3 %
Pri 3 = 5 / 10 = 50.0 %	Pri 3 = 1 / 9 = 11.1 %	Pri 3 = 0 / 7 = 0.0 %
"Not a Candidate" Criteria	"Not a Candidate" Criteria	"Not a Candidate" Criteria
Priority 1 = Last Inspected 2010 +	Priority 1 = Last Inspected 2011 +	Priority 1 = Last Inspected 2012 +
Priority 2 = 2009 +	Priority 2 = 2010 +	Priority 2 = 2011 +
Priority 3 = 2008 +	Priority 3 = 2009 +	Priority 3 = 2010 +

III. Technical Quality of Inspections

15. What, if any, changes were made to your written inspection procedures during the reporting period?

The following NRC inspection procedures were converted to Ohio inspections procedures: Nuclear Medicine - No Written Directive Required (NMS-AS-551), Nuclear Medicine - Written Directive Required (NMS-AS-552), Brachytherapy (NMS-AS-553), Gamma Stereotactic Radiosurgery and Teletherapy (NMS-AS-554), Medical Broadscope (NMS-AS-555).

16. Prepare a table showing the number and types of supervisory accompaniments made during the review period. Include:

Inspector Supervisor License Category Date

Inspector	Supervisor	License category	Date
Anderson, Kim	Light	02121	3-11-10
Anderson, Kim	Light	02120	4-29-11
Anderson, Kim	McCracken	02500	9-11-12
Anderson, Kim	McCracken	02500	10-23-12
Anderson, Kim	McCracken	03219	1-8-13
Colleli, Jim	McCracken	11800	4-25-12
Colleli, Jim	McCracken	03900	7-24-12
Colleli, Jim	McCracken	03900	9-17-13
Cosner, Amy	Light	02120	2-12-09

Inspector	Supervisor	License category	Date
Cosner, Amy	Light	02120	3-5-10
Cosner, Amy	Light	02120	5-6-11
Cosner, Amy	Von Ahn	02110	10-30-12
Cosner, Amy	Von Ahn	02230	9-25-13
Cosner, Doug	Light	02120	2-24-09
Cosner, Doug	Light	02230	2-25-10
Cosner, Doug	Light	02500	5-27-11
Cosner, Doug	Von Ahn	02120	10-18-12
Cosner, Doug	Von Ahn	02120	07-17-13
Dettmer	Light	02201	1-29-09
Dettmer	Light	02121	2-20-09
Dettmer	Light	02120	5-26-09
Dettmer	Light	02500	8-27-09
Dettmer	Light	02110	3-17-10
Dettmer	Light	02500	6-7-11
Dettmer	Von Ahn	02110	3-28-12
Graham	Light	02110	6-24-09
Graham	Light	02110	3-17-10
Graham	Light	02230	6-3-11
Graham	Von Ahn	02110	3-28-12
Graham	Von Ahn	02120	7-19-13
Batdorf (Smith)	Von Ahn	02201	1-17-13
Batdorf (Smith)	Von Ahn	02120	4-18-13
Batdorf (Smith)	Von Ahn	02120	07-25-13
Baas	James	31210	8-5-10
Baas	James	31200	9-28-10
Barnhart	James	03211	11-12-08
Barnhart	James	03521	4-1-09
Barnhart	James	03214	8-26-09
Becker	James	31210	3-3-09
Becker	James	31210	5-26-09
Becker	James	00004 (Well Logging)	4-5-10
Becker	James	03320	5-24-10
Becker	James	03111	5-11-10
Becker	James	03111	6-3-10
Becker	James	03620	11-4-10
Becker	James	31210	5-25-11
Becker	James	03211	11-2-11
Becker	James	03521	5-17-12
Becker	James	03521	5-17-12
Becker	James	03320 (Special)	8-9-12
Becker	James	0006 (GL)	5-8-13
Becker	James	03214	7-9-13
Desai	James	03620	2-26-09
Desai	James	01100	11-23-09
Desai	James	03620	1-13-10
Desai	James	03320	3-8-10

Inspector	Supervisor	License category	Date
Desai	James	31201	11-3-10
Desai	James	03320	6-16-11
Desai	James	03214	5-3-12
Desai	James	03214	5-3-12
Kubera	James	31210	12-11-12
Kubera	James	03320	1-14-12
Kubera	James	00004 (Ind. Radiography)	5-15-13
Kubera	James	00006 (GL)	5-28-13
Kubera	James	03320	6-25-13
Kubera	James	03310	7-31-13
Lipp, Celeste	James	03214	11-7-08
Lipp, Celeste	James	03511	9-24-08
Lipp, Celeste	James	03320	4-23-09
Lipp, Celeste	James	31210	12-10-10
Lipp, Celeste	James	03223	8-24-11
Lipp, Celeste	James	03511	6-26-12
Lipp, Celeste	James	31210	7-30-13
Shipley	James	02400	12-18-11
Shipley	James	31210	2-29-12
Shipley	James	31210	2-29-12
Shipley	James	31210	8-1-13
Von Ahn	McCracken	03800	7-31-09
Von Ahn	McCracken	11800	10-26-09
Von Ahn	McCracken	03219	8-19-10
Von Ahn	McCracken	03219	11-4-10

17. Describe or provide an update on your instrumentation, methods of calibration, and laboratory capabilities. Are all instruments properly calibrated at the present time? Were there sufficient calibrated instruments available throughout the review period?

All instruments are properly calibrated at the present time. The bureau maintains status to ensure timely submission for instruments whose calibrations are due to expire. The Bureau maintains a wide variety of instrumentation for conducting radiation surveys. A list of these instruments will be available for review during the IMPEP.

The instrumentation is calibrated annually, or as needed, by the Ohio Emergency Management Agency calibration lab or by any other NVLAP certified calibration facility.

All instruments that are available for use are properly calibrated. The Bureau has maintained a sufficient number of calibrated instruments through the review period.

The Bureau has access to the ODH laboratory facilities. The laboratory provides the Bureau with radiochemistry capabilities including gamma spectroscopy, alpha spectroscopy, beta and alpha counting systems, and liquid scintillation capabilities. The ODH laboratory maintains proficiency by processing nuclear power plant environmental

samples on a weekly basis.

IV. Technical Quality of Licensing Actions

18. How many specific radioactive material licenses does your program regulate at this time?

Ohio regulates 608 specific licenses.

19. Please identify any major, unusual, or complex licenses which were issued, received a major amendment, were terminated, decommissioned, submitted a bankruptcy notification or renewed in this period.

Viewray Incorporated – License # 03214180085

- 7/10/09 (Initial License) – Issued new R&D license (# 03620180033). Licensee intends to develop a new hybrid stereotactic radiosurgery/teletherapy unit.
- 8/19/11 (Amendment 6) – Amended license to add Service Provider and Temporary Job-site provisions. Allows licensee to apply for reciprocity in other jurisdictions to conduct beta-testing of new hybrid device.
- 9/18/12 (Amendment 7) – Changed license type to M&D Other, changed license # to 03214180085. Completed SS&D review of new hybrid device and changed license type to allow licensee to manufacture and distribute new hybrid device for medical use.

Philips Medical Systems (Cleveland) Inc. dba Philips Healthcare – License # 03214180003

- 6/8/12 (Amendment 41) – Amended license to allow licensee to set-up and remove temporary testing locations within designated “controlled areas” in production facilities. Previously, licensee was required to submit an amendment request for every change. Licensee developed procedures and is required to maintain records of set-up and release of all testing areas. In addition, licensee submits to Bureau a quarterly report and diagram of testing areas currently in use.

New Green Legacy Services – issued new license 03219 65 0000 on Nov 8, 2010, service provider for decontamination work at fixed facility

Akron General Medical Center – issued license 02120 78 0000 amendment 32 on May 14, 2012 for new addition of gamma knife (and initial IC orders)

Jewish Hospital – issued license 02120 31 0029 amendment 23 on Oct 5, 2012 for new addition of gamma knife (already had IC orders)

Proctor & Gamble license number 03610090000 Special Inspection (Confirmatory Survey for Decommissioning & License Termination) 7/10/2013

Advanced Medical Systems license number 03900180000 Special Inspection (Effluents & Licensed Materials Security) 7/17/2013

20. Discuss any variances in licensing policies and procedures or exemptions from the regulations granted during the review period.

Nationwide Children's Hospital – issued license number 02110 25 0012 amendment number 18 on May 28, 2013 incorporating Director's Order for a dose limit waiver for adult caregivers of minors undergoing inpatient radionuclide therapy.

21. What, if any, changes were made in your written licensing procedures (new procedures, updates, policy memoranda, etc.) during the reporting period?

NRC 313A(xxx) forms were converted to Ohio equivalents to document training experience and preceptor statements for RSO, various AUs, ANP and AMP.

All Industrial Licensing Guides were reviewed for accuracy and completeness. Errata lists indicating significant changes are being prepared for each guide and will be posted with them on the BRP web page. This information and other necessary changes will be made to the BRP license guides after the NRC has finished the revisions to the NUREG series and issued final documents.

Decommissioning- NMS-AS-100 (Effective Date 8/1/2013) Close-Out and Termination Procedure for Type 1 & Type 2 Facilities

22. Identify by licensee name and license number any renewal applications that have been pending for one year or more. Please indicate why these reviews have been delayed and describe your action plan to reduce the backlog.

No license renewals are pending for one year or more.

V. Technical Quality of Incident and Allegation Activities

23. For Agreement States, please provide a list of any reportable incidents not previously submitted to NRC (See Procedure SA-300, *Reporting Material Events*, for additional guidance, OMB clearance number 3150-0178). The list should be in the following format:

<u>Licensee Name</u>	<u>License #</u>	<u>Date of Incident/Report</u>	<u>Type of Incident</u>
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All reportable incidents have been submitted to the NRC.

24. Identify any changes to your procedures for responding to incidents and allegations that occurred during the period of this review.

None

C. **NON-COMMON PERFORMANCE INDICATORS**

I. Compatibility Requirements

25. Please list all currently effective legislation that affects the radiation control program. Denote any legislation that was enacted or amended during the review period.

Chapter 3748 of the Ohio Revised Code (overall legislation for the program)

Chapter 3747 of the Ohio Revised Code (low-level radioactive waste act)

Chapter 119 of the Ohio Revised Code (due process following license denial)

26. Are your regulations subject to a "Sunset" or equivalent law? If so, explain and include the next expiration date for your regulations.

Rules adopted pursuant to Chapter 119 (Ohio Administrative Procedures Act) are subject to review every five years and the agency adopting the rules must review and decide to continue the rule as it exists or modify it. There are eleven chapters of Ohio Administrative Code rules that pertain to radioactive material. The expiration date of each rule is based on the date that it was adopted. All rules in the eleven Ohio Administrative Code chapters are current.

27. Please review and verify that the information in the enclosed State Regulation Status (SRS) sheet is correct. For those regulations that have not been adopted by the State, explain why they were not adopted, and discuss actions being taken to adopt them. If legally binding requirements were used in lieu of regulations and they have not been reviewed by NRC for compatibility, please describe their use.

The information in the Ohio Regulation Status sheet dated October 25, 2013 is accurate.

The regulations referred to in RATS ID # 2011-1 have been drafted incorporating the April 29, 2013 NRC comments and were final on November 14, 2013. The final rules were forwarded to the NRC on November 25, 2013.

The regulations referred to in RATS ID # 2012-2 have been drafted incorporating the October 25, 2013 comments and will be final in March/April 2014.

The regulations referred to in RATS ID # 2013-1 have been drafted and are awaiting NRC comments. The final rules will be forwarded to the NRC.

The regulations referred to in RATS ID # 2012-3, 2012-4, and 2013-2 have not been drafted and are not due for adoption until 2015 or 2016.

28. If you have not adopted all amendments within three years from the date of NRC rule promulgation, briefly describe your State's procedures for amending regulations in order to maintain compatibility with the NRC, showing the normal length of time anticipated to complete each step.

All amendments have been adopted within three years from the date of NRC rule promulgation.

II. Sealed Source and Device (SS&D) Evaluation Program

29. Prepare a table listing new and amended (including transfers to inactive status) SS&D registrations of sources and devices issued during the review period. The table heading should be:

<u>SS&D Registry Number</u>	<u>Manufacturer, Distributor or Custom User</u>	<u>Product Type or Use</u>	<u>Date Issued</u>	<u>Type of Action</u>
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SSD Registration#	Manufacturer/ distributor	Product Type or Use	Date Issued	Type of action
OH-0522-D-120-B	Ohmart/Vega Corp	gamma gauge	11/12/2008	amendment
OH-0298-S-102-S	Frontier Technology Corporation	neutron source	4/7/2009	amendment
OH-0522-D-120-B	Ohmart/Vega Corp	gamma gauge	5/8/2009	amendment
OH-8211-D-801-G	Best Lighting Products, Inc.	self-luminous light	8/5/2009	inactivation
OH-0522-D-120-B	Ohmart/Vega Corp	gamma gauge	8/20/2009	amendment
OH-0522-S-109-S	VEGA Americas Corporation	gamma gauge	8/24/2009	amendment
OH-0522-D-102-B	VEGA Americas Corporation	gamma gauge	9/1/2009	amendment
OH-8208-S-801-S	Advanced Medical Systems	gamma source	11/13/2009	inactivation
OH-8208-D-802-S	Advanced Medical Systems, Inc.	photon emitting teletherapy	11/13/2009	inactivation
OH-8208-D-803-S	Advanced Medical Systems, Inc.	photon emitting teletherapy	11/13/2009	inactivation
OH-1090-D-103-B	Automation and Control Technology	beta gauge	2/16/2010	amendment
OH-0522-D-120-B	Ohmart/Vega Corp	gamma gauge	10/14/2010	amendment
OH-0522-D-112-S	VEGA Americas Corporation	gamma gauge	11/1/2010	amendment
OH-1033-D-101-B	IRM Group, Inc.	beta gauge	11/5/2010	amendment
OH-0522-D-120-B	VEGA Americas Corporation	gamma gauge	1/7/2011	amendment
OH-0522-D-116-S	VEGA Americas Corporation	gamma gauge	2/10/2011	amendment
OH-1090-D-103-B	Automation and Control Technology	beta gauge	11/1/2011	amendment
OH-0522-D-120-B	VEGA Americas Corporation	gamma gauge	7/5/2012	amendment
OH-0109-S-125-S	ABB, Inc.	gas source	7/17/2012	amendment
OH-0109-S-126-S	ABB, Inc.	other	7/17/2012	amendment
OH-1346-D-101-S	ViewRay, Inc.	photon emitting teletherapy	8/17/2012	new
OH-0522-D-102-B	VEGA Americas	gamma gauge	10/29/2012	amendment

	Corporation			
OH-0522-D-111-S	VEGA Americas Corporation	gamma gauge	11/20/2012	amendment
OH-0109-D-121-B	ABB, Inc.	gamma gauge	11/30/2012	amendment
OH-0109-D-122-B	ABB, Inc.	gamma gauge	11/30/2012	amendment
OH-0109-D-123-B	ABB, Inc.	gamma gauge	12/3/2012	amendment
OH-0109-D-124-B	ABB, Inc.	gamma gauge	12/3/2012	amendment
OH-0109-S-127-S	ABB, Inc.	other - beta source	12/3/2012	amendment
OH-0109-S-128-S	ABB, Inc.	other - beta source	12/3/2012	amendment
OH-1219-D-104-S	Thermo Eberline LLC dba Thermo Fisher Scientific	calibrator	12/14/2012	new
OH-1219-D-102-S	Thermo Fisher Scientific	calibrator	12/14/2012	amendment
OH-0522-D-111-S	VEGA Americas Inc.	gamma gauge	3/5/2013	amendment
OH-0522-D-112-S	VEGA Americas Corporation	gamma gauge	3/7/2013	amendment
OH-0522-D-102-B	VEGA Americas Corporation	gamma gauge	3/26/2013	amendment
OH-0522-D-111-S	VEGA Americas Inc.	gamma gauge	5/29/2013	amendment

30. Please include information on the following questions in Section A, as they apply to the SS&D Program:

Technical Staffing and Training - Questions 2-9
 Technical Quality of Licensing Actions - Questions 18-22
 Technical Quality of Incident and Allegation Activities - Questions 23-24

Information is included in Section B "COMMON PERFORMANCE INDICATORS" regarding staffing, licensing and response to incidents as it relates to the Sealed Source and Device program.

III. Low-level Radioactive Waste Disposal Program

31. Please include information on the following questions in Section A, as they apply to the Low-Level Radioactive Waste Disposal Program:

Technical Staffing and Training - Questions 2-9
 Status of Materials Inspection Program - Questions 10-14
 Technical Quality of Inspections - Questions 15-17
 Technical Quality of Licensing Actions - Questions 18-22
 Technical Quality of Incident and Allegation Activities - Questions 23-24

Information is included in Section B "COMMON PERFORMANCE INDICATORS" regarding staffing, licensing and response to incidents as it relates to the Low-Level Radioactive Waste Disposal program. Ohio is authorized pursuant to statute and rule to

site and regulate a low-level radioactive waste disposal facility. At the present time no facility is being sited in Ohio and no disposal facility exists in the state. Ohio tracks and reports on the generation of low level radioactive waste annually in Ohio.

IV. Uranium Recovery Program

32. Please include information on the following questions in Section A, as they apply to the Uranium Recovery Program:

Technical Staffing and Training - Questions 2-9

Status of Materials Inspection Program - Questions 10-14

Technical Quality of Inspections - Questions 15-17

Technical Quality of Licensing Actions - Questions 18-22

Technical Quality of Incident and Allegation Activities - Questions 23-24

Information is included in Section B "COMMON PERFORMANCE INDICATORS" regarding staffing licensing and response to incidents as it relates to the Uranium Recovery program. Ohio is authorized pursuant to the agreement with NRC to license uranium mills. Ohio does not currently have any facilities that meet the definition of uranium mill.